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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF DENTISTRY

IN THE MATTER OF :

DEBI D. McGINNIS, R.D.H. :
License No. 22HI00605700 :

TO PRACTICE AS A REGISTERED
DENTAL HYGIENIST IN THE
STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Dentistry upon receipt of information that on November 16, 2006 Debi D. Mc Ginnis ("respondent"), a registered dental hygienist, was terminated from her employment with Cherry Hill Professional Dentistry due to alleged cocaine use. Information received indicated that respondent's former employer was compelled to terminate her employment due to indications from patients and co-workers that she was acting as if she were under the influence of drugs and/or alcohol. An unknown substance, believed to be cocaine,

was discovered inside a box of cigarettes that respondent demanded to have returned to her.

Subsequently, information was received that respondent had previously been convicted of Driving Under the Influence on April 3, 2003 and on February 8, 2006. On August 30, 2006 respondent had plead guilty to N.J.S.A. 2C:35-5a(1), Possession of a Controlled Dangerous Substance with Intent to Distribute, and N.J.S.A. 2C:35-10a(1), Possession of a Controlled Dangerous Substance.

On March 27, 2007, respondent was directed to undergo an evaluation by the Professional Assistance Program of New Jersey ("PAP"). Respondent was seen and evaluated by the PAP on April 20, 2007. Respondent completed a 28 day residential treatment program in February 2007, and also completed an aftercare program. In April 2007, the PAP began random twice weekly urine screening, all of which have been reported as negative for unauthorized use of any psychoactive substances. Respondent has been attending a minimum of three Narcotics Anonymous ("NA") meetings each week. Respondent has been seen by the PAP on a monthly basis. The PAP found respondent was in good stable documented continuous recovery for over six months and requested that the Board allow respondent to retain her license while she continues her recovery with safeguards in place to adequately protect the public.

Based on the entire record, the Board has determined that respondent may continue to practice as a registered dental hygienist subject to the conditions outlined in this order. Respondent appears to be in recovery at this time, however, the Board is keenly aware of respondent's history of relapse and will

not tolerate any deviation from the terms of this order. The Board finds that the restrictions placed on respondent's practice by this order are adequate to protect the health and welfare of the public, and that good cause exists for entry of this order:

IT IS THEREFORE on this 29th day of January, 2008,
ORDERED and AGREED:

1. Respondent shall continue her participation in the Professional Assistance Program (PAP) and shall comply with the recommendations for treatment, including but not limited to:

(a) monthly face-to-face contact with representatives from the PAP for the first six months following entry of this order;

(b) attendance at support groups, NA or AA, at a minimum of three times per week;

(c) urine monitoring once a week for the first year following entry of this order; and

(d) counseling and psychotherapy as recommended by the PAP.

(e) After the period specified in this order, reduction in urine monitoring or the number of required face-to-face meetings with the PAP, or other PAP requirements, shall be at the discretion of the Executive Medical Director of the PAP with notification to the Executive Director of the State Board of Dentistry.

2. If respondent discontinues participation with the PAP or fails to comply with the conditions imposed by the program or outlined in this consent order without obtaining approval of the Board and the PAP, she shall be deemed in violation of this Order.

3. Respondent shall abstain from the use of alcohol and from all psychoactive substances, unless prescribed by a treating

physician for a documented medical condition with prior notification to the Executive Medical Director of the PAP of the diagnosis and prescribed medications. In addition, respondent shall advise any and all treating physicians and/or dentists of her history of substance abuse.

4. The PAP shall submit quarterly reports, including urine results, to the Board regarding respondent's participation and compliance with all requirements of the PAP and this order. If respondent has a positive urine, misses an appointment without consent, has a lapse or slip in her recovery, or if respondent terminates recommended counseling or her participation with the PAP, the PAP shall immediately inform the Board. For purposes of this paragraph, "immediately" shall mean reporting the information orally within 24 hours and following up with a written report within 48 hours.

5. (a) Any failure by respondent to submit or provide a urine sample within twenty-four (24) hours of a request will be deemed to be equivalent to a confirmed positive urine test. In the event respondent is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from the PAP. Respondent shall notify the PAP if he will be out of the State for any reason, so that the program may make a determination regarding alternate testing.

(b) Any urine test result showing creatinine levels below 20 mg/dL and a specific gravity below 1.003 shall create a rebuttable

presumption of a confirmed positive urine test. Any such result shall be followed immediately by a confirming GC/MS test.

(c) Respondent shall familiarize herself with all foods, food additives or other products (such as poppy seeds) which may affect the validity of urine screens, be presumed to possess that knowledge, and shall refrain from the use of such substances. Ingestion of such substances shall not be an acceptable reason for a positive urine screen and/or failure to comply with the urine monitoring program.

(d) The PAP may, after notifying the Board, modify the frequency of testing or method of testing during the monitoring period.

6. Respondent's employer, a Board approved New Jersey licensed dentist, shall act as a monitor and shall provide the Board with quarterly reports regarding respondent's progress and behavior. The Board approved monitor, shall be made fully aware of respondent's condition and status with the Board. The Board approved monitor, shall agree to be responsible for immediately reporting to the PAP and to the Board orally and in writing within twenty-four (24) hours any evidence or behavior indicating that respondent is under the influence or engaging in the use of psychoactive substances. Respondent shall provide such Board approved monitor, with a copy of this order. Respondent shall also provide the Board with a copy of this order signed by the Board approved monitor, signifying his or her agreement to make such reports to the Board. At no time shall respondent practice as a hygienist, or as an assistant, without a Board approved monitor until further order of the Board.

7. Respondent shall provide any and all releases to any and all parties who are participating in a monitoring, treatment, or

other program as outlined in this order, as may be required in order that all reports, records, and other pertinent information may be provided to the Board in a timely manner. Respondent waives any right to confidentiality and agrees that any information received by the Board regarding respondent's treatment or participation in a monitoring program may be used in connection with any proceedings pertaining to her license.

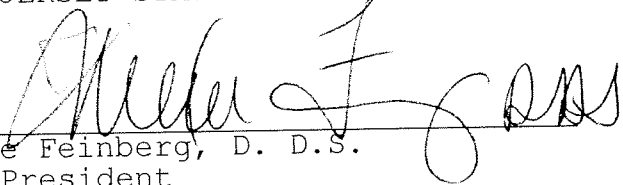
8. (a) Respondent shall be subject to an order of automatic suspension of her license upon the Board's receipt of any information which the Board, in its sole discretion, deems reliable demonstrating that respondent has failed to comply with any of the conditions set forth in this consent order, including but not limited to report of a confirmed positive urine, or a prima facie showing of use of alcohol or drugs.

(b) Respondent shall have a right to apply for removal of the automatic suspension on ten (10) days notice to the Board and to the Attorney General. The Board may hold a hearing on that application before the full Board or before a committee of the Board. In the event a committee hears the application, its action shall be effective immediately and subject to ratification of the full Board at its next scheduled meeting. In a hearing seeking removal of the automatic suspension, any confirmed positive urine shall be presumed valid.

9. Nothing in this order shall be deemed to preclude the Board from taking any action it deems appropriate should the Board's review of information cause it to determine that such action is warranted or from imposing restrictions or conditions on

respondent's license should the Board determine that such restrictions or conditions are appropriate to protect the public health, safety, and welfare.

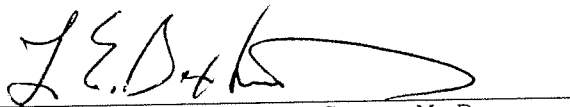
NEW JERSEY STATE BOARD OF DENTISTRY

By: 
Maxine Feinberg, D. D.S.
President

I have read the above Order,
understand its terms, and
agree to be bound by them.
I consent to the entry of
this Order by the Board of
Dentistry.


Debi D. McGinnis, R.D.H.
Respondent

I have read the terms of this order and
agree on behalf of the Professional
Assistance Program to comply with
its terms pertaining to the PAP.


Louis E. Baxter, Sr., M.D.
Executive Medical Director
Professional Assistance Program

Date: